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June 6, 2000

Ray Pilon, Project Manager
Army Corps of Engineers
U.S. Department of Defense
1776 Niagara Street
Buffalo, NY 14207

Re: Phase II Remedial Investigation
Component 2 Somerset Group Property

Dear Mr. Pilon:

I have been asked by Linda Shaw and representatives of the Somerset Group to review the draft document: "Phase II Remedial Investigation on Component 2 Somerset Group Property." I have a few brief comments.

I. Review of Existing Groundwater Contamination. In meetings of the former Lake Ontario Ordnance Works Site Restoration Advisory Board ("RAB"), and during the so-called Information Session of March 2, 1999, representatives of the Army Corps of Engineers have specifically acknowledged the existence of contaminants in groundwater underlying and adjacent to the Somerset Group property site. Summary tables showing groundwater monitoring data were passed out during the information Session of March 2, 1999; these summary tables listed certain known groundwater contaminants in and around the Somerset Group property. However, the Phase II Remedial Investigation appears to ignore the previously acknowledged existence of known contaminants in the groundwater.

At a minimum, for those groundwater contaminants previously identified by the Army Corps of Engineers, as well as expected degradation products, groundwater monitoring should be conducted on Component 2 to identify the horizontal and vertical extent of contamination.

In addition, recently conducted sewerline excavation at the Somerset Group property revealed the presence of what John Syms describes as a "smelly organic" material in the excavated sewer lines. The excavation of one of these sewer lines apparently caused a breakout from a previously abandoned sewer liner discharging into the Central Drainage Ditch. Observations made by John Syms, representatives of the NYDEC, and Leader Environmental, consultants for the Somerset Group, revealed stressed or dying vegetation and numerous dead frogs starting from the point of the breakout or release into the Central Ditch and extending approximately thirty (30) feet downstream toward Balmer Road. Because the sewer lines were obviously broken or fractured in numerous locations, it is apparent that the contents of the sewer lines were in intimate contact with the surrounding soil. Accordingly, for all contaminants identified in the sewer lines, groundwater monitoring should be conducted to determine if the contaminants have spread to groundwater.

Page B-7-5 of the Phase II Remedial Investigation states, in part:

"Monitoring wells may be installed in Area T1T2 if results of subsurface soil sampling and filed screening indicate the presence of potential COPC in exceedance of the NY State comparison criteria."

This limited criteria for the installation of groundwater monitoring wells is inadequate to address the previously acknowledged conditions on the Somerset Group property and the more recent evidence revealed during the sewer line excavation. In addition, Somerset Group recommends that the Army Corps of Engineers review all historical data of soil and sediments samples obtained at the Somerset Group property. If the historical data reveals contamination to soil and sediments, then these contaminants should also be included in the groundwater monitoring program.

Somerset Group has so far been unable to obtain information concerning the characterization of groundwater situated upgradient of the Component 2. In addition to the criteria for installing groundwater monitoring wells described on Page B-7-5 and for the reason discussed in this letter, Somerset Group proposes that additional groundwater monitoring wells should be installed to evaluate the lateral extent of contamination for polluted groundwater situated upgradient of Component 2.

Finally, Somerset Group requires that the Army Corps of Engineers split samples with the property owner's representative at the time of sampling for the purpose of independent analyses of all samples.

II. Review of Work Plan by the NYDEC. The Somerset Group is concerned that all applicable New York guidelines must be complied with in the performance of the investigational work at Component 2. Accordingly, it is requested that Kent Johnson, NYDEC, be given the opportunity to review and comment on the proposed work scope.

III. Sampling of Existing Groundwater Monitoring Wells. The Army Corps of Engineers installed nine (9) groundwater monitoring wells on the Somerset Group property in December 1991/January 1992. To the best of our information, these wells have not been sampled and the groundwater analyzed since the time of original installation. Irrespective of the results that may be obtained from the soil sampling described on Page B-7-5, the existing monitoring wells should be sampled and the groundwater analyzed for constituents previously identified in groundwater, for constituents identified in the excavated sewer lines, and for any other constituents identified under the criteria discussed in Section I herein.

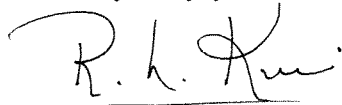
IV. Radiological Sampling. Leader Environmental recently completed radiological sampling and analysis of soil, sediment and sludge obtained from the Central Drainage Ditch on the Somerset Group property. These results are presently being analyzed and a copy of the survey results will be provided to the USACE. A preliminary review of these results suggests the presence of various radionuclides from manmade sources. Because of the seriousness of this conclusion, the sampling program at Component 2 should be expanded to include limited field screening for radionuclides in subsurface soils. In addition, the most recent RAB meeting included a discussion by representatives of the Army Corps of Engineers concerning radioactive releases from the Niagara Fall Storage Site ("NFSS") which is located upgradient from the Somerset Group property. Groundwater sampling should be conducted to determine whether the plume of contamination from the NFSS has migrated onto the

Somerset Group property.

V. Soil and Sediment Sampling in the Central Drainage Ditch. As I mentioned previously, representatives from both the NYDEC and Leader Environmental observed the discharge of contaminants from a sewer line discharging into the Central Drainage Ditch. The discharge from this sewer line, originating from Building 30A, has apparently caused the destruction of both vegetative growth and aquatic life in the area immediately downstream from the sewer discharge point. The discharge from this sewer LINE appears to have occurred due to the sewer excavation work performed by the USACE during 1998. The Phase II Remediation Investigation proposes no additional sampling and analysis for this area of the Somerset Group property. Both the discharge from the unknown sewer and the resulting contamination in the Central Drainage Ditch should be analyzed and the results reported to the Somerset Group. It is also understood that the NYDEC has sampled this portion of the Central Drainage Ditch and we are awaiting the results of these analyses.

I look forward to your response. If you have any further questions, please do not hesitate to call either Linda Shaw at 716/546-8430 or me at 412/731-7246.

Very truly yours,

A handwritten signature in black ink, appearing to read "R. L. Kuis", written over a horizontal line.

Ronald L. Kuis

RLK/sbg

cc: Linda R. Shaw, Esquire
Somerset Group, Inc.
Kent Johnson, NYDEC